

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE:

CASE NO. 23-04642

Richard William McCarthy;
Vicki-Lyn Watt;

CHAPTER 13

Debtor(s).

JUDGE LaShonda A Hunt

AMENDED OBJECTION TO CONFIRMATION OF PLAN FILED APRIL 6, 2023

PNC Bank, National Association, hereinafter referred to as "Creditor", by and through its attorneys, Diaz Anselmo & Associates, LLC, objects to the confirmation of the Chapter 13 plan for the following reasons:

1. This Court has jurisdiction pursuant to 28 U.S.C. § 1334 and the general orders of the Northern District of Illinois.
2. Venue is fixed in this Court pursuant to 28 U.S.C. § 1409.
3. This matter constitutes a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(L).
4. The debtors filed a petition for relief under Chapter 13 on April 6, 2023.
5. PNC Bank, National Association holds a mortgage secured by a lien on debtors' real estate commonly known as 12155 Catawba Court, Homer Glen, IL 60491.
6. The creditor filed a claim for pre-petition arrears in the amount of \$4,998.91. (See Proof of Claim 4-1 filed on 5/11/2023.)
7. The Chapter 13 plan provides that the Debtors will pay PNC Bank, National Association arrears of \$0.00.
8. The Chapter 13 plan provides that the debtors will make post-petition payments in the amount of \$4,500.00 directly to the Creditor. However, the correct estimated post-petition payment amount is \$4,518.74.

9. The Chapter 13 plan is not feasible as it will not complete within 5 years. Therefore, the plan does not comply with the requirements of 11 U.S.C. § 1322(d).
10. The Chapter 13 plan does not provide that the Creditor will be paid its secured claim of \$4,998.91. Therefore, the plan does not comply with 11 U.S.C. § 1325(a)(5)(B).

WHEREFORE, Creditor prays for entry of the attached Order Denying Confirmation of the Chapter 13 plan.

PNC Bank, National Association

/s/ Nisha B. Parikh

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This law firm is deemed to be a debtor collector.